

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RAMON SAUL SILVA,

Petitioner,

v.

DONALD R. HOLBROOK,

Respondent.

Case No. C22-282-LK-MLP

ORDER GRANTING RESPONDENT'S
MOTION FOR EXTENSION OF TIME

This is a federal habeas action filed under 28 U.S.C. § 2254. This matter is before the Court on Respondent's motion for an extension of time to file an answer to Petitioner's petition for writ of habeas corpus. (Dkt. # 7.) Respondent indicates in his motion that the requested extension is warranted because he is still attempting to obtain files from the Washington appellate courts necessary to prepare an answer to Petitioner's petition that satisfies the requirements of Rule 5 of the Rules Governing Section 2254 Cases. (*See id.*)

Petitioner opposes Respondent's motion, arguing that the extension is not warranted because the decision of the Washington Supreme Court contained in the file Respondent is attempting to obtain is readily available elsewhere. (Dkt. # 8 at 1.) Petitioner also argues that he

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1 will be prejudiced by any extension because it will lengthen his unconstitutional incarceration.
2 (*Id.*) Petitioner's suggestion to the contrary, Respondent must have access to the entirety of the
3 state court file in order to adequately prepare an answer to Petitioner's federal habeas petition.
4 The Court therefore deems Respondent's requested extension necessary and appropriate.

5 Based on the foregoing, the Court hereby ORDERS as follows:

6 (1) Respondent's motion for an extension of time to file his answer to Petitioner's
7 federal habeas petition (dkt. # 7) is GRANTED. Respondent is directed to file his answer not
8 later than ***June 9, 2022***.

9 (2) The Clerk is directed to send copies of this Order to Petitioner, to counsel for
10 Respondent, and to the Honorable Lauren King.

11 DATED this 17th day of May, 2022.

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14 MICHELLE L. PETERSON
15 United States Magistrate Judge
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